



Docket No.: 242058US2CIP

TWD

**OBLON**  
**SPIVAK**  
**McCLELLAND**  
**MAIER**  
**&**  
**NEUSTADT**  
**P.C.**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/697,035

Applicants: Naoto JIKUTANI, et al.

Filing Date: October 31, 2003

For: SURFACE-EMISSION LASER DIODE OPERABLE  
IN THE WAVELENGTH OF 1.1-1.7MICROMETERS  
AND OPTICAL TELECOMMUNICATION SYSTEM  
USING SUCH A LASER DIODE

Group Art Unit: 2828

Examiner: Menefee, J.A.

ATTORNEYS AT LAW

GREGORY J. MAIER  
(703) 413-3000  
GMAIER@OBLON.COM

MICHAEL E. MONACO  
REGISTERED PATENT AGENT  
(703) 413-3000  
MMONACO@OBLON.COM

SIR:

Attached hereto for filing are the following papers:

**RESPONSE TO ELECTION/RESTRICTION REQUIREMENT**

Our check in the amount of - 0 - is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Registration No. 25,599  
Attorney of Record

Michael E. Monaco  
Registration No. 52,041

Customer Number

**22850**

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

NAOTO JIKUTANI, ET AL.

: EXAMINER: MENEFEE, JAMES A.

SERIAL NO: 10/697,035

:

FILED: OCTOBER 31, 2003

: GROUP ART UNIT: 2828

FOR: SURFACE-EMISSION LASER  
DIODE OPERABLE IN THE  
WAVELENGTH OF ...

:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
Alexandria, Virginia 22313

SIR:

In response to the communication dated December 13, 2005, and further in response to the Election/Restriction Requirement contained therein, Applicants elect, without traverse, the species noted in the requirement to be Species IV, subspecies (a) noted in the requirement to be "A surface emitting laser array," and Applicants list Claims 63-78 as readable thereon.

In view of the present election/restriction without traverse, it is respectfully submitted that an action on the merits as to elected Claims 63-78 should be forthcoming.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read "Michael E. Monaco". It is written in cursive script and is positioned above a solid horizontal line.

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Michael E. Monaco  
Registration No. 52,041

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)